

STAYED,ENE,IFP,USMSVC

**U.S. District Court  
Southern District of California (San Diego)  
CIVIL DOCKET FOR CASE #: 3:17-cv-01612-JAH-RBB**

Reyes v. United States Department of the Interior, Bureau of  
Indian Affairs et al  
Assigned to: Judge John A. Houston  
Referred to: Magistrate Judge Ruben B. Brooks  
Cause: 05:0552b(g)sa Implement requirements of Govt in  
Sunshine Act

Date Filed: 08/10/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Emilio Reyes**  
*Plaintiff in Pro Se*

represented by **Emilio Reyes**  
615 5th Avenue  
Chula Vista, CA 91910  
619-829-0130  
PRO SE

V.

**Defendant**

**United States Department of the  
Interior, Bureau of Indian Affairs**

represented by **U S Attorney CV**  
U S Attorneys Office Southern District of  
California  
Civil Division  
880 Front Street  
Suite 6253  
San Diego, CA 92101  
(619)557-5662  
Fax: (619)557-7122  
Email: [Efile.dkt.civ@usdoj.gov](mailto:Efile.dkt.civ@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Katherine Lind Parker**  
US Attorneys Office  
880 Front Street  
Room 6293  
San Diego, CA 92101-8893  
(619) 546-7634  
Fax: (619) 546-7751  
Email: [katherine.parker@usdoj.gov](mailto:katherine.parker@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Rebecca Grace Church**  
United States Attorney's Office  
Southern District of California  
880 Front Street  
Room 6293  
San Diego, CA 92101  
(619) 546-7721  
Email: [rebecca.church@usdoj.gov](mailto:rebecca.church@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**United States Department of the  
Interior, Office of the Solicitor**

represented by **U S Attorney CV**  
(See above for address)  
**LEAD ATTORNEY**

ATTORNEY TO BE NOTICED

**Brett Norris**

United States Attorney Office  
880 Front Street  
Room 6293

San Diego, CA 92101-8807

(619) 546-7620

Fax: (619) 546-7751

Email: [brett.norris@usdoj.gov](mailto:brett.norris@usdoj.gov)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Katherine Lind Parker**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Rebecca Grace Church**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Defendant****Jessica Rogers**

*in her capacity as FOIA Public Liaison of  
Indian Affairs*

TERMINATED: 11/22/2017

represented by **Katherine Lind Parker**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Defendant****Ryan Zinke**

*in his capacity as Secretary of the United  
States Department of the Interior*

TERMINATED: 11/22/2017

represented by **Katherine Lind Parker**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/10/2017	<u>1</u>	COMPLAINT against Jessica Rogers, United States Department of the Interior, Bureau of Indian Affairs, United States Department of the Interior, Office of the Solicitor, Ryan Zinke, IFP Filed, filed by Emilio Reyes. (Attachments: # <u>1</u> Civil Case Cover Sheet, # <u>2</u> Exhibit 1)  The new case number is 3:17-cv-1612-BTM-BLM. Judge Barry Ted Moskowitz and Magistrate Judge Barbara Lynn Major are assigned to the case. (Emilio Reyes)(pjm) (jao). (Entered: 08/10/2017)
08/10/2017	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Emilio Reyes. (pjm) (jao). (Entered: 08/10/2017)
08/16/2017	<u>3</u>	ORDER OF TRANSFER PURSUANT TO LOW NUMBER RULE. Case reassigned to District Judge Anthony J. Battaglia and Magistrate Judge Nita L. Stormes for all further proceedings. District Judge Barry Ted Moskowitz and Magistrate Judge Barbara Lynn Major no longer assigned to case. Create association to 3:17-cv-01417-AJB-NLS. The new case number is 17cv1612-AJB (NLS). Signed by Judge Barry Ted Moskowitz on 8/15/2017. Signed by Judge Anthony J. Battaglia on 8/11/2017. Motions set before Nita L. Stormes. (All non-registered users served via U.S. Mail Service)(mxn) (Entered: 08/17/2017)
09/18/2017	<u>4</u>	ORDER Granting <u>2</u> Plaintiff's Motion for Leave to Proceed in forma pauperis. US Marshal shall effect service of complaint. The Court directs the Clerk of Court to issue a summons as to complaint. Signed by Judge Anthony J. Battaglia on 09/18/2017. (All non-registered users served via U.S. Mail Service) (Certified Copy to USM) (ajs) (Entered: 09/18/2017)

09/18/2017	<u>5</u>	Summons Issued. <b>Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. Summons will be mailed to plaintiffs not receiving notice electronically.</b> (Attachments: # <u>1</u> IFP Letter)[IFP Packet Mailed](ajs) (Entered: 09/18/2017)
09/19/2017	<u>6</u>	Amended Summons Issued. <b>Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. Summons will be mailed to plaintiffs not receiving notice electronically.</b> (Attachments: # <u>1</u> Amended IFP Letter)[Amended IFP Packet Mailed](ajs) (Entered: 09/19/2017)
10/18/2017	<u>7</u>	SUMMONS Returned Executed by Emilio Reyes. United States Department of the Interior, Bureau of Indian Affairs and United States Department of the Interior, Office of the Solicitor served. (mxn) (Entered: 10/18/2017)
10/19/2017	<u>8</u>	SUMMONS Returned Executed by Emilio Reyes. United States Department of the Interior, Bureau of Indian Affairs served. (jah) (Entered: 10/19/2017)
10/19/2017	<u>9</u>	SUMMONS Returned Executed by Emilio Reyes. Jessica Rogers served. (jah) (Entered: 10/19/2017)
10/19/2017	<u>10</u>	SUMMONS Returned Executed by Emilio Reyes. Ryan Zinke served. (jah) (Entered: 10/19/2017)
10/23/2017	<u>11</u>	SUMMONS Returned Executed by Emilio Reyes. United States Department of the Interior, Office of the Solicitor – Department of Justice served. (lrf) (Entered: 10/24/2017)
11/21/2017	<u>12</u>	MOTION to Dismiss Party ( <i>Unopposed</i> ) by Jessica Rogers, United States Department of the Interior, Bureau of Indian Affairs, United States Department of the Interior, Office of the Solicitor, Ryan Zinke. (Attachments: # <u>1</u> Proof of Service)(Parker, Katherine)Attorney Katherine Lind Parker added to party Jessica Rogers(pty:dft), Attorney Katherine Lind Parker added to party United States Department of the Interior, Bureau of Indian Affairs (pty:dft), Attorney Katherine Lind Parker added to party United States Department of the Interior, Office of the Solicitor(pty:dft), Attorney Katherine Lind Parker added to party Ryan Zinke(pty:dft)(acc). (Entered: 11/21/2017)
11/22/2017	<u>13</u>	ORDER granting <u>12</u> Unopposed Motion to Dismiss Individual Defendants. Jessica Rogers (in her capacity as FOIA Public Liaison of Indian Affairs) and Ryan Zinke (in his capacity as Secretary of the United States Department of the Interior) terminated. Signed by Judge Anthony J. Battaglia on 11/22/2017. (All non-registered users served via U.S. Mail Service)(acc) (Entered: 11/22/2017)
11/29/2017	<u>14</u>	ANSWER to <u>1</u> Complaint, by United States Department of the Interior, Bureau of Indian Affairs, United States Department of the Interior, Office of the Solicitor. (Attachments: # <u>1</u> Proof of Service)(Church, Rebecca)Attorney Rebecca Grace Church added to party United States Department of the Interior, Bureau of Indian Affairs (pty:dft), Attorney Rebecca Grace Church added to party United States Department of the Interior, Office of the Solicitor(pty:dft)(acc). (Entered: 11/29/2017)
12/01/2017	<u>15</u>	ORDER OF TRANSFER PURSUANT TO LOW NUMBER RULE. Case reassigned to Judge John A. Houston and Magistrate Judge Ruben B. Brooks for all further proceedings. Judge Anthony J. Battaglia, Magistrate Judge Nita L. Stormes no longer assigned to case. Create association to 3:17-cv-01417-JAH-RBB. The new case number is 17cv1612-JAH-RBB. Signed by Judge Anthony J. Battaglia on 12/1/2017. Signed by Judge John Houston on 11/28/2017.(All non-registered users served via U.S. Mail Service)(acc) (Entered: 12/04/2017)
12/06/2017	<u>16</u>	NOTICE AND ORDER Setting Early Neutral Evaluation Conference. An Early Neutral Evaluation is set for 2/7/2018 at 1:30 PM in Courtroom 2C before Magistrate Judge Ruben B. Brooks. Signed by Magistrate Judge Ruben B. Brooks on 12/6/2017.(All non-registered users served via U.S. Mail Service)(rmc) (Entered: 12/06/2017)
02/08/2018	<u>17</u>	Minute Order for proceedings held before Magistrate Judge Ruben B. Brooks. Early Neutral Evaluation Conference held on 2/8/2018. Settlement Conference set for

		5/16/2018 at 1:30pm. Signed by Magistrate Judge Ruben B. Brooks on 2/08/2018. (All non-registered users served via U.S. Mail Service)(jpp) (Entered: 02/08/2018)
02/08/2018	<u>18</u>	SCHEDULING ORDER regulating discovery and other pre-trial proceedings. Settlement Conference set for 5/16/2018 01:30 PM in Courtroom 2C before Magistrate Judge Ruben B. Brooks. Proposed Pretrial Order due by 6/17/2019. Final Pretrial Conference set for 6/24/2019 02:30 PM in Courtroom 13B before Judge John A. Houston. Signed by Magistrate Judge Ruben B. Brooks on 2/08/2018.(All non-registered users served via U.S. Mail Service)(jpp) (Entered: 02/08/2018)
03/22/2018	<u>19</u>	MINUTE ORDER – Due to a conflict on the Courts calendar, the Court resets the settlement conference currently scheduled for May 16, 2018, at 1:30 p.m. to June 27, 2018, at 1:30 p.m. The parties shall submit a joint settlement status report directly to chambers by June 20, 2018. Signed by Magistrate Judge Ruben B. Brooks on 3/22/2018.(All non-registered users served via U.S. Mail Service)(jpp) (Entered: 03/22/2018)
06/20/2018	<u>20</u>	MINUTE ORDER – Due to a conflict on the Courts calendar, the settlement conference scheduled for June 27, 2018, at 1:30 p.m. is reset to July 10, 2018, at 10:00am. All other guidelines and requirements remain in effect.Signed by Magistrate Judge Ruben B. Brooks on 6/20/2018.(All non-registered users served via U.S. Mail Service)(jpp) (Entered: 06/20/2018)
07/10/2018	<u>21</u>	MINUTE ORDER: A settlement conference was held. A settlement conference is set for 1/15/2019 at 2:00 p.m. before Magistrate Judge Ruben B. Brooks. The parties shall submit a joint settlement status report by 1/8/2019. Signed by Magistrate Judge Ruben B. Brooks on 7/10/2018.(All non-registered users served via U.S. Mail Service)(mpl) (Entered: 07/11/2018)
01/03/2019	<u>22</u>	Ex Parte MOTION to Stay <i>During Lapse in Federal Appropriations</i> by United States Department of the Interior, Office of the Solicitor. (Attachments: # <u>1</u> Proof of Service)(Norris, Brett)Attorney Brett Norris added to party United States Department of the Interior, Office of the Solicitor(pty:dft) (dlg). (Entered: 01/03/2019)
01/04/2019	<u>23</u>	ORDER granting <u>22</u> Motion to Stay During Lapse in Federal Appropriations. Signed by Judge John A. Houston on 1/4/19. (All non-registered users served via U.S. Mail Service)(dlg) (Entered: 01/04/2019)
01/08/2019	<u>24</u>	MINUTE ORDER – In light of the stay in effect in these matters due to the lapse in federal appropriations, the Court continues the settlement conference set for January 15, 2018 to February 26, 2019, at 2:00 p.m. The parties shall submit a joint settlement status report by February 19, 2019. As the date of the settlement conference approaches, the Court will reevaluate whether a further continuance is required if Congress has not yet appropriated funds by that time.Signed by Magistrate Judge Ruben B. Brooks on 1/08/2019.(All non-registered users served via U.S. Mail Service)(jpp) (Entered: 01/08/2019)
02/01/2019	<u>25</u>	Joint MOTION to Amend/Correct <u>24</u> Order,,, Set Hearings,,, Terminate Hearings,,, <u>18</u> Scheduling Order, <i>Regarding Lift of Stay</i> by United States Department of the Interior, Bureau of Indian Affairs, United States Department of the Interior, Office of the Solicitor. (Attachments: # <u>1</u> Proof of Service)(Church, Rebecca) (jpp). (Entered: 02/01/2019)
02/05/2019	<u>26</u>	MINUTE ORDER – The joint motion is GRANTED. The settlement conference set for February 26, 2019 is continued to March 19, 2019, at 2:00 p.m. The parties shall submit a joint settlement status report by March 12, 2019. Additionally, the pretrial conference set for June 24, 2019, at 2:30 p.m. before the Honorable John A. Houston is vacated. The pretrial conference will be reset after the resolution of pretrial motions. Signed by Magistrate Judge Ruben B. Brooks on 2/05/2019. (All non-registered users served via U.S. Mail Service)(jpp) (Entered: 02/05/2019)
02/06/2019	<u>27</u>	MINUTE ORDER – The parties joint request to continue the deadline to file pretrial motions, set forth in their joint motion regarding lift of stay and request to amend the scheduling order [ECF No. 48], is GRANTED. The deadline to file pretrial motions is continued from February 25, 2019, to April 23, 2019.. Signed by Magistrate Judge Ruben B. Brooks on 2/06/2019.(All non-registered users served via U.S. Mail Service)(jpp) (Entered: 02/06/2019)

03/20/2019	<u>28</u>	Minute Order for proceedings held before Magistrate Judge Ruben B. Brooks: Settlement Conference held on 3/20/2019. Settlement Conference set for 7/9/2019 at 2:00pm. Signed by Magistrate Judge Ruben B. Brooks on 3/20/2019. (All non-registered users served via U.S. Mail Service)(jpp) (Entered: 03/20/2019)
04/23/2019	<u>29</u>	MOTION for Summary Judgment <i>on FOIA Complaint</i> by United States Department of the Interior, Bureau of Indian Affairs, United States Department of the Interior, Office of the Solicitor. (Attachments: # <u>1</u> Memo of Points and Authorities, # <u>2</u> Declaration Howard, # <u>3</u> Declaration Long, # <u>4</u> Proof of Service)(Church, Rebecca) (jpp). (Entered: 04/23/2019)